

From: Dianne Slack
Sent: 20 April 2022 11:48
To: Licensing; [REDACTED]
Cc: [REDACTED]
Subject: RE: Review - Pendulum, Blaydon Road, Pendeford, Wolverhampton, WV9 5NP - PRE427

Sensitivity: PROTECT

Dear Lizzy,

I write on behalf of Trading Standards as a Responsible Authority to submit formal representations in support of the review applied for by the Licensing and Regulatory Officer for West Midlands Police, in respect of Premises Licence Number: 20/22712/PRE, due to the general failure to comply with conditions applied to the premises licence.

The current premises licence is a relatively young one granted on 15/11/2020 and issued to Premises Licence Holder and Designated Premises Supervisor, Mohammed Khalil Ali. On his application Mr Ali had offered to adhere to robust licensing conditions, in particular of concern to Trading Standards, those under the licensing objectives

The prevention of crime and disorder, including

- The systems recorded images and video will be of court-evidential quality, indicate the correct date and time and be kept for at least 31 days unedited.
 - Images and video will be downloadable in a suitable format and provided to any officer of a responsible authority upon request.
 - Documented staff training relevant to the prevention of crime and disorder.
 - To have a written policy in relation to drunkenness.
 - A Personal Licence Holder must be on site when licensable activities are taking place.
 - An electronic or written refusals log will be maintained at the premises with a record of all refusals of admission or service.
 - The refusals log will include the basis of a refusal; the person making the decision to refuse; the date and time of refusal.
 - The refusals log will be kept for at least 12 months and will be produced to an officer of a responsible authority upon request.
 - An electronic or written incidents log will be maintained at the premises with a record of all incidents of crime and disorder reported to or by the premises.
 - The incidents log will be produced to an officer of a responsible authority upon request.
 - All staff to receive training and refresher training every 6 months on their responsibilities with regard to licensing legislation and, in particular, to under age and proxy sales.
 - Training will also cover Challenge 25 and conflict management. This training must be documented and produced to an officer of a responsible authority upon request.
- and

The protection of children from harm

- To carry out a risk assessment with regard to children on the premises.
- The Challenge 25 scheme will be operated to ensure that any person who appears to be under the age of 25 will provide documented proof that they are over 18 years of age..
- To display notices within the premises regarding such a policy.

The application for review illustrates that no regard has been considered for the said licensing objectives that were relied upon to obtain the premises licence. The results of the visits suggest that no Challenge 25 was being operated nor any risk assessment with regard to children on the premises. Those responsible repeatedly ignored the advice given by licensing officers. If it was discovered that there was an issue of underage sales of alcohol from the premises, the owners and Premises Licence Holder and DPS would not be able to show they exercised all due diligence and reasonable precautions to prevent such sales and legal proceedings would have to be considered.

The premises licence holder and management have failed to uphold the licensing objectives of the Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and Protection of Children from Harm.

Regards

Dianne Slack
Tobacco Control Officer
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City of Wolverhampton Council

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